

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RONNIE COLE,

Plaintiff,

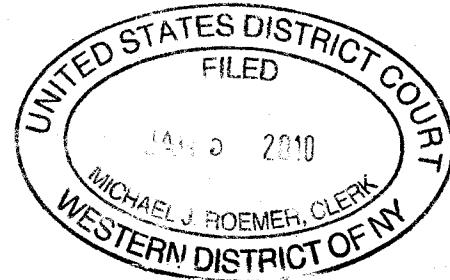
08-CV-699A

MOTION FOR EXTENSION
OF TIME

-against-

FISCHER, KIRKPATRICK, SCHUMACHER,
STICH, VENETOZZI, BELLAMY, SHRODER,
SKELLY, MALLOY, MCGUIRE, HODGES,
MEHNERT, TROTTER, and NIXON,

Defendant(s).

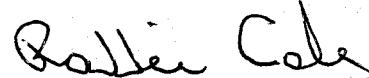


Plaintiff Ronnie Cole (the "Plaintiff"), hereby move this Court to: (a) extend the Plaintiff's time to respond to both of the Defendant's Cross Motion in Response to plaintiff's Motion For Partial Summary Judgment, which both Attorney's Mr. Michael J. Russo Counselor for all other Defendant's but not defendant MYRON HODGES, which a W. JAMES SCHWAN are that defendants Counselor.

(b) Plaintiff receive Mr. Schwan Cross Motion For Summary Judgment by defendant MYRON HODGES, as of December 21, 2009, and Mr. Russo Cross Motion, Declaration of Captain Casaciel, Mr. Russo Declaration, Memorandum of Law, and Statement of Undisputed Facts, also on December 21, 2009. (c) Plaintiff request that this Court grant the plaintiff a 30 day extension of time to answer both Attorney's Cross Motion's and all other motion's listed above from Mr. Russo, which plaintiff seek have the Honorable Court extend the time from January 7 which would be the 10 day's for plaintiff's due response to both Attorney's Cross Motion Mr. Schwan for outright Cross Motion For Summary Judgment for the defendant MYRON HODGES, and Mr. Russo Cross Motion for partial Summary Judgment. (d) As the Court are aware the plaintiff are acting Pro Se, housed within the Walsh (RMU") Regional Medical Unit because of many medical problem's, Pending New Surgery because of failure of the July 28, 2009 procedure, plaintiff bring to this Honorable Court attention that it is impossible for the plaintiff to read, research, draft, forward to Law Library Law Clerk for review, correction's, re-type, Copie's for all partie's as well as the Original file with the Court and a "courtesy copie" for the Judge HUGH B. SCOTT, United States Magistrate Judge, all within 10 day's.

(e) For the reasons set forth in the Declaration of Ronnie Cole, plaintiff State Prisoner acting Pro Se, submitted herewith. The plaintiff's motion is to be heard at the United States Courthouse, 68 Court Street, Buffalo, New York before the Hon. HUGH B. SCOTT, at a date and time to be set by the Court.

Respectfully submitted,



RONNIE COLE PLAINTIFF PRO SE
WALSH ("RMU") REGIONAL MEDICAL UNIT/
MOHAWK CORRECTIONAL FACILITY
6100 School Road P.O. Box 8451
ROME, NEW YORK 13442-8451

DATED: ROME, NEW YORK
DECEMBER 24, 2009